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Operating Company, LLC*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

TPOV ENTERPRISES 16, LLC, a Delaware  
Limited Liability Company,

Plaintiff,

vs.

PARIS LAS VEGAS OPERATING  
COMPANY, LLC, a Nevada limited liability  
company,

Defendant.

PARIS LAS VEGAS OPERATING  
COMPANY, LLC, a Nevada limited liability  
company,

Counterclaimant.

vs.

TPOV ENTERPRISES, LLC, a Delaware  
Limited Liability Company, TPOV  
ENTERPRISES 16, LLC, a Delaware Limited  
Liability Company, Rowen Siebel, an  
individual.

Counter-defendants.

CASE NO. 2:17-cv-00346-JCM-VCF

**STIPULATION AND ORDER TO EXTEND  
DEADLINES TO FILE RESPONSES TO  
MOTIONS FOR SUMMARY JUDGMENT  
AND REPLY BRIEFS IN SUPPORT OF  
THE SAME [ECF NOS. 269-72] AND SET  
BRIEFING SCHEDULE REGARDING  
FORTHCOMING MOTION TO STAY**

**(THIRD REQUEST)**

Pursuant to LR IA 6-1, Plaintiff/Counterdefendant TPOV Enterprises 16, LLC ("TPOV 16");  
Counterdefendant TPOV Enterprises, LLC ("TPOV"); Counterdefendant Rowen Seibel ("Seibel")  
(collectively, "Seibel and the TPOV Entities"); and Defendant/Counterclaimant Paris Las Vegas

Operating Company, LLC ("Paris") (collectively, the "Parties"), by and through their undersigned counsel of record, stipulate and agree as follows:

1. On March 12, 2021, Plaintiff/Counterdefendants filed a Motion for Summary Judgment on Paris' Counterclaims. (ECF Nos. 269, 272.)

2. On March 12, 2021, Paris filed a Motion for Summary Judgment on all of TPOV 16's claims and Paris' counterclaims. (ECF Nos. 270-271.)

3. On April 8, 2021, the Parties stipulated to extend the deadline to respond to the respective motions for summary judgment to April 30, 2021, and to extend the deadline to file reply briefs in support of their respective motions for summary judgment to May 21, 2021. (ECF No. 291.)

4. On April 9, 2021, this Court entered an Order granting the Parties' Stipulation. (ECF No. 292.)

5. On April 29, 2021, the Parties stipulated to extend the deadline to respond to the respective motions for summary judgment to May 24, 2021, and to extend the deadline to file reply briefs in support of their respective motions for summary judgment to June 14, 2021. (ECF No. 293.)

6. On April 30, 2021, this Court entered an Order granting the Parties' Stipulation. (ECF No. 294.)

7. Good cause exists to extend the briefing schedules for the motions for summary judgment. Recently, in the case *Seibel v. PHWLIV, LLC*, Case No. A-17-751759-B (the "State Court Matter"), currently pending before the Eighth Judicial District Court of the State of Nevada, County of Clark ("State Court"), the State Court granted Paris and its affiliates' Motion to Compel Documents Withheld on the Basis of the Attorney-Client Privilege Pursuant to the Crime-Fraud Exception. The State Court has ordered Paris and its affiliates to prepare the Findings of Fact, Conclusions of Law and Order. Paris has provided draft Findings of Fact, Conclusions of Law and Order to Plaintiff/Counterdefendants and the Parties are in the process of reviewing and exchanging revisions. The Parties anticipate that the State Court's Findings of Fact, Conclusions of Law and

1 Order Granting the Motion to Compel Documents Withheld on the Basis of the Attorney-Client  
2 Privilege Pursuant to the Crime-Fraud Exception will be entered in short order.

3 8. Pursuant to an agreement between the Parties, discovery propounded in the State  
4 Court Matter can be used in this matter and discovery propounded in this matter can be used in the  
5 State Court Matter. Plaintiff/Counterdefendants have indicated they intend to seek review (through  
6 a writ petition to the Nevada Supreme Court) of the State Court's ruling and a stay of enforcement  
7 of the order, once entered in the State Court Matter, pending the outcome of their writ. Without  
8 waiver of any arguments or rights by the Parties, the Parties have discussed whether the remaining  
9 briefing of the summary judgment motions in this matter should be stayed until either  
10 Plaintiff/Counterdefendants produce the documents ordered compelled by the State Court or until  
11 resolution of their anticipated writ.

12 9. While the Parties have not reached an agreement as to any potential stay, they have  
13 agreed to present the issue to this Court for resolution and continue the deadlines to file responses to  
14 motions for summary judgment and replies thereto to allow this Court time to consider and rule upon  
15 a forthcoming motion to stay to be filed by Paris.

16 10. Accordingly, the Parties have agreed as follows:

- 17 a. Paris shall file a motion to stay by or before June 4, 2021.  
18 b. Plaintiff/Counterdefendants shall file their response to the forthcoming motion to  
19 stay by or before June 18, 2021.  
20 c. Paris shall file its reply by or before June 25, 2021.  
21 d. The Parties respectfully request that the Court set a hearing on the forthcoming  
22 motion to stay the first week of July 2021, or as soon thereafter as this Court's  
23 schedule permits.

24 11. Unless this Court orders otherwise after ruling upon the forthcoming motion to stay,  
25 the deadline to file responses to motions for summary judgment shall be extended from  
26 May 24, 2021, to July 28, 2021.  
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1 12. Unless this Court orders otherwise after ruling upon the forthcoming motion to stay,  
2 the deadline to file reply briefs in support of motions for summary judgment shall be extended from  
3 June 14, 2021 to August 18, 2021.

4 13. This Stipulation and Order to extend deadlines to file dispositive motions is made in  
5 good faith, with good cause, and not for purposes of unduly delaying trial.

6 DATED this 24th day of May 2021.

DATED this 24th day of May 2021.

7 PISANELLI BICE PLLC

BAILEY KENNEDY

8 By: /s/ M. Magali Mercera  
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**ORDER**

17 IT IS SO ORDERED.

18   
UNITED STATES DISTRICT JUDGE

19 DATED: May 28, 2021  
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